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TOWN OF SEVASTOPOL
Door County, Wisconsin

ORDINANCE NO. xx-xxxx

**SHORT-TERM RENTAL OF RESIDENTIAL DWELLINGS ORDINANCE
OF THE TOWN OF SEVASTOPOL
DOOR COUNTY, WISCONSIN**

1. Title

This ordinance shall be entitled “The Short-term Rental of Residential Dwellings Ordinance of the Town of Sevastopol, Door County, Wisconsin”.

2. Purpose

The purpose of this ordinance is to ensure that the quality and nature of the Short-term Rentals operating in a Residential Dwelling within the Town of Sevastopol (“Town”) is adequate for protecting public health, safety, and general welfare, including establishing minimum standards for human occupancy, and for an adequate level of maintenance; determining the responsibilities of owners, agents and property managers offering properties for tourists and transient occupants; to provide minimum standards for the health and safety of persons occupying or using buildings, structures or premises in the town; to protect the character and stability of neighborhoods within the town; and provisions for the administration and enforcement thereof.

3. State Statutes Adopted - Authority

The Board of Supervisors of the Town is granted authority for adopting this ordinance under s. 60.10(2)(c) and s. 60.22(3), Wisconsin Statutes. The Town Board adopts this ordinance under its general village powers authority and s. 66.1014 of the Wisconsin Statutes.

4. Definitions

- A. “Property Owner” means the person or entity who owns the residential dwelling that is being rented.
- B. “Resident Agent” means a person who is not the Property Owner and who is authorized to act as the agent of the Property Owner for the receipt of service of notice and remedy of municipal ordinance violations and for service of process pursuant to this ordinance.
- C. “Residential Dwelling” means any building, structure, or part of the building or structure, that is used or intended to be used as a home, residence, or sleeping place by one or more persons maintaining a common household, to the exclusion of all others.
- D. “Short-term Rental” means a Residential Dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

5. Short-term Rental License

- A. No person may maintain, manage, or operate a Short-term Rental more than ten (10) nights each year without a Town Short-term Rental license issued pursuant to this ordinance.
- B. Licenses shall be issued using the following procedures:

- 46 1. All applications for a Short-term Rental license shall be filed with the town clerk on forms
47 provided. Applications must be filed by the Property Owner or authorized Resident Agent. No
48 license shall be issued unless the completed application form is accompanied by the payment
49 of the required application fee.
- 50 2. The town clerk shall issue a Short-term Rental license to all applicants following payment of
51 the required fee, receipt of all fully completed documentation and information requested by the
52 application, and application approval by town board or its designee.
- 53 3. A Short-term Rental license shall be effective for one year and may be renewed for additional
54 one-year periods. The annual licensing term begins July 1st and ends June 30th the following
55 year. A fully completed renewal application and renewal fee must be filed with the town clerk
56 at least forty-five (45) days prior to license expiration so that the town board or its designee, if
57 required, has adequate time to consider the application. The renewal application shall include
58 any updated information since the filing of the original application. An existing license becomes
59 void and a new application is required any time the ownership of a residential dwelling licensed
60 for Short-term Rentals changes.
- 61 4. The town board may suspend, revoke, reject or non-renew a Short-term Rental license or
62 license application following a due process hearing if the board determines that the licensee:
63 a) failed to comply with any of the requirements of this ordinance; b) has been convicted or
64 whose Resident Agent or renters have been convicted of engaging in illegal activity while on
65 the Short-term Rental premises on two (2) or more separate occasions within the past twelve
66 (12) months; or c) has outstanding fees, taxes, or forfeitures owed to the town in violation of
67 Town Ordinances.

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69 **6. Operation of a Short-Term Rental**

70 Each Short-term Rental shall comply with all of the following requirements:

- 71 A. No person may maintain, manage, or operate a Short-term Rental more than ten (10) nights
72 each year without a Short-term Rental license. Every Short-term Rental shall be operated by a
73 Property Owner or a Resident Agent.
- 74 B. Each Short-term Rental shall hold a valid State of Wisconsin Tourist Rooming House License
75 issued by the Department of Agriculture, Trade and Consumer Protection (DATCP), and shall
76 provide proof of such license by attaching a copy to the initial license application and all
77 subsequent renewal applications.
- 78 C. Each Short-term Rental shall be licensed by the Door County Tourism Zone Commission
79 (DCTZC), and shall provide proof of such license by attaching a copy to the initial license
80 application and all subsequent renewal applications.
- 81 D. Each Short-term Rental shall comply with all of the following requirements:
- 82 (1) No Residential Dwelling may be rented for a period of less than six (6) consecutive nights.
- 83 (2) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be
84 permitted on site as a means of providing additional accommodations for paying guests or
85 other invitees.
- 86 (3) If the property is not served by a public sanitary sewer, a private onsite wastewater treatment
87 system (POWTS) in full compliance with this ordinance and in accordance with Chapter 21 of
88 the Door County Code must serve the property.
- 89 (4) If the property is serviced by public sanitary sewer, occupancy is limited to the number of
90 occupants authorized by the tourist rooming house license issued by DATCP. If the property is
91 served by a POWTS, occupancy is limited to the number of occupants for which the POWTS
92 was designed, or the occupancy granted by the State tourist rooming license, whichever is
93 less.
- 94 (5) Sufficient off-street parking shall be available to accommodate all vehicles on the Short-term
95 Rental premises. Off-street parking shall be in compliance with Door County Comprehensive

- 96 Zoning Ordinance, Chapter 7. . On-street parking for renters of the Residential Dwelling is
 97 prohibited, consistent with Town Ordinance No. 05-2016.
- 98 (6) Pets that accompany a renter are subject to Town Ordinance No. 01-2012, with the following
 99 additional requirements:
- 100 (a) Pets must be under the control of their owner and on a leash when outside the dwelling.
 101 Pets may be tethered securely to a leash or pulley-run on the premises, provided that the
 102 tethered pet is at least ten (10) feet inside the premises lot line.
- 103 (b) Pet owners must adhere to minimizing pet noise. independent of whether the pet is inside
 104 or outside the dwelling.
- 105 (c) Pet owners are prohibited from leaving their pet unattended on the Rental Dwelling
 106 premises. Unattended pets are subject to impoundment under Town Ordinance No 01-
 107 2012.
- 108 (7) Signage shall conform to applicable Town and Door County ordinances.
- 109 (8) Rental dwellings must be able to accommodate reliable telephone communications in case of
 110 emergency.
- 111 (9) Any outdoor event held at the Short-term Rental shall last no longer than one day occurring
 112 between the hours of 10AM and 10PM. From 10PM to 10AM quiet hours shall be enforced. All
 113 activities shall be in compliance with the Town noise ordinance and other applicable Town and
 114 Door County ordinances.
- 115 E. The Property Owner must reside within seventy-five (75) miles of the Short-term Rental during
 116 periods in which the Short-term Rental is rented.
- 117 (a) This requirement may be waived if there is a valid Resident Agent (point of contact) located
 118 in Door County, in such a case, the Property Owner shall provide a copy of the Resident
 119 Agent contract to the Town and notify the Town within thirty (30) days of termination of any
 120 such contract.
- 121 (b) To qualify as a Resident Agent the representative must reside within Door County or be a
 122 corporate entity with offices located within Door County.
- 123 F. The Property Owner and/or Resident Agent must provide the town with current contact
 124 information and must be available twenty-four (24) hours a day, seven (7) days a week by
 125 telephone or email. The town must be notified within twenty-four (24) hours of any change in
 126 contact information.
- 127 G. A list of property rules must be posted at the Short-term Rental property, provided to the guests,
 128 and a copy submitted with the application for a license. Property rules must contain the minimum
 129 information:
- 130 (a) The maximum number of overnight occupants
- 131 (b) The name, phone number and address of the Property Owner or Resident Agent
- 132 (c) A diagram of the property identifying the property lines and the location of off-street parking,
 133 including the maximum number of off-street parking spaces provided for renters
- 134 (d) Quiet hours of 10PM to 10AM
- 135 (e) Pet Policy: Leash requirements, noise, no pets left unattended on premises
- 136 (f) The trash pick-up day and applicable rules and regulations pertaining to leaving or storing
 137 trash or refuse on the exterior of the property.
- 138 (g) Outdoor burning regulations
- 139 (h) Notification that the occupant may be cited or fined by the Town or immediately evicted by
 140 the property owner or resident agent, in addition to any other remedies available at law, for
 141 violating any other provisions of this ordinance
- 142 (i) Notification that failure to conform to the occupancy requirements of the tourist rooming
 143 house is a violation of this ordinance
- 144 (j) Copy of local public access rules if the property is located near parks or bodies of water
- 145 H. The Property Owner and/or Resident Agent must provide the following information to
 146 neighboring residential property owners located within 200-feet of the Short-term Rental
 147 dwelling property in all directions no later than seven (7) days from the date rental dwelling
 148 permit is issued or any time the Property Owner/Resident Agent contact information changes:
- 149 (a) Telephone and email contact information to enable neighboring residential property owner
 150 or Town personnel to contact the Property Owner or Resident Agent twenty-four (24) hours

- 151 a day, seven (7) days a week regarding disturbances or issues arising in connection with
152 the rental of a Residential Dwelling.
153 (b) Provide copy of property rules that is provided to renters
154 (c) Provide their DATCP license number.
155 I. The Property Owner shall have and maintain homeowner's liability or business liability insurance
156 for the premises that are used for short term rental and shall provide written evidence of such
157 insurance with the initial license application and all subsequent renewal applications.

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159 **7. Penalties**

160 A. Any person, partnership, corporation, limited liability company, or other legal entity that fails to
161 comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less
162 than \$100.00 nor more than \$1000.00, plus the applicable surcharges, assessments and costs
163 for each violation. Each day a violation exists or continues constitutes a separate offense under
164 this ordinance.

165 B. Penalties set forth in this section shall be in addition to all other remedies of injunction,
166 abatement or costs whether existing under this ordinance or otherwise.

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168 **8. Fees**

169 License fees shall be established by the Town Board in a fee schedule and may, from time to time, be
170 modified. The fees shall be related to costs involved in processing license applications, reviewing
171 plans, conducting inspections, ordinance compliance and documentation. Fees are nonrefundable
172 and shall not be prorated. A schedule of the fees shall be available for review on the town website.

173 **9. Severability**

174 Should any portion of this ordinance be declared invalid or unconstitutional by a court of competent
175 jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.

176 **10. Effective Date and Publication**

177 This ordinance shall become effective upon adoption and publication as required under s. 60.80, Wis.
178 Stat.

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